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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/721,884

11/26/2003

Henri Kamdem

11016-0024

5997

22902

7590

01/13/2006

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EXAMINER

BINDA, GREGORY JOHN

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/721,884		KAMDEM ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Greg Binda		3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-15 is/are pending in the application.
- 4a) Of the above claim(s) 3,4,7,8 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,5,6,9-13 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on various is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

*Continued Examination Under 37 CFR 1.114*

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 4, 2006 has been entered.

*Election/Restrictions*

3. Claims 3, 4, 7, 8 & 14 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election of Species I shown in Figs. 2-6 was made **without** traverse in the reply filed on Feb 11, 2005.

*Response to Amendment*

4. The amendment filed November 4, 2005 is objected to because in the claim listing the status identifiers of claims 3, 4, 7 & 8 fail to identify the claims as withdrawn.

*Drawings*

5. The drawings are objected to because:

- a. At page 6, line 14, “the central core 1” is described as being shown in Fig. 2b, but no such feature appears there.
  - b. In Fig. 6 reference numeral 22 should be changed to 22'. See page 8, line 11.
  - c. Reference character 2a appears in Fig. 2b, but does not appear in the description.
  - d. Reference numeral 2' appears in Fig. 6 but does not appear in the accompanying description.
  - e. Reference numeral 2' identifies a decoupling ring in Fig. 6 and a modified such ring in Fig. 11.
6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

7. The disclosure is objected to because:
  - a. At page 6 the reference characters " $(\alpha_2/\alpha_1)$ " should be deleted from line 28 and inserted in line 27 after the word "angles". See for example claim 6, line 3.
  - b. At page 6, line 28, the phrase "projections 20e and 20e" should be changed to "projections 2i and 2e" in order for the description to agree with what is shown in Fig. 2a.
  - c. Each of the previous Office actions notes in exhaustive detail many typographical errors in the specification. Rather than correct these problems, applicant prefers to send in copy after copy of the specification. It is not clear why this action is taken since each copy only confirms the existence of the errors. Applicant argues that the errors need not be corrected since they do not appear in the published application. Applicant should note, the blueprint for any patent issuing from this application, is the application file, not a previously published application document. Since the examiner is not applicant's proof reader and applicant is clearly aware of the errors, it is up to applicant to correct the errors. If applicant persists in his refusal to correct these known errors, then he forfeits any post issuance right to correct them should the specification publish with the errors.
8. The detailed description is objected to as failing to provide proper antecedent basis for the following claimed subject matter:
  - a. Claim 1, line 4: "one of the supports adapted to be driven, the decoupling element adapted to transmit power"

- b. Claim 1, line 12: “the central core (1) substantially works in shear for transmission of said power from one support to the other”

*Claim Objections*

9. The claims are objected to as failing to comply with 37 CFR 1.75(i) because elements of the claims are not separated by line indentation. In the amendment filed Nov 4, 2005 applicant argues that he is exempt from complying, but gives no reason why he is exempt other than to say the rule is not mandatory. Even if the rule were only a suggestion, applicant would still be required to provide a persuasive reason for failing to comply with it. Applicant further argues that the claims do not lend themselves to be indented. That simply is not true. Claim 15 is directed to a presumably inventive combination comprising multiple elements. As such, it is, by definition, the type of the claim that should be written so that the individual elements are separated by indentation.

10. Claim 12 is objected to because it depends from a canceled claim.

*Claim Rejections - 35 USC § 112*

11. Claims 2, 5, 6, 9-13 & 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1, lines 14+ recites the limitation “the abrupt projections of at least

one of the faces present whether or not the abrupt projections mesh together with the complementary abrupt projections of the opposing face of the support”. Applicant has not pointed out where this limitation is supported, nor does there appear to be a written description of the limitation in the application as originally filed.

12. Claims 2, 5, 6, 9-13 & 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contain subject matter which was not clearly described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

a. The specification includes numerous typographical errors that cause confusion.

Applicant’s insistence on leaving these errors in the specification, makes the specification confusing and incapable of providing clear enablement for the claimed invention.

b. Claim 1, lines 14+ recites the limitation “the abrupt projections of at least one of the faces present whether or not the abrupt projections mesh together with the complementary abrupt projections of the opposing face of the support”. The specification teaches no such structure. To the contrary, Figs. 2-4 clearly show the abrupt projections 2e of at least one of the faces 21e would be flattened by the wall 42 (i.e. no longer be present) if they failed to mesh together (i.e. in the recesses 44i) with the complementary abrupt projections 4i of the opposing face 41 of the support 4.

*Claim Rejections - 35 USC § 102*

13. Claims 2, 5, 9, 11-13 & 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Salisbury, GB 245,847. Figs. 1 & 2 show a decoupling element 3 and two support power transmission combination, the decoupling element 3 made of deformable material (see page 1, lines 49 & 50) and interposed between the faces of two supports 2, 4 of a drive device having a central axis of rotation, one of the supports 2 adapted to be driven, the decoupling element 3 adapted to transmit power from one of the supports to the other support, the other support 4 adapted for further power transmission, the decoupling element 3 being formed by a ring 3 comprising a central core and two opposite faces where each face has abrupt projections 7 & 8 meshed together with complementary abrupt projections on opposing faces of the supports. Fig. 1 shows the ring 3 splits to allow a screw into an opening.

14. Claims 2, 5, 12, 13 & 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hauck, US 2003/0186749. Fig. 5 shows a combination comprising all the limitations of the claims.


*Conclusion*

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Binda  
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Art Unit 3679